

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAR 11 8 2012 Ch CENTER 1612-2000

In re application of: Monto H. KUMAGAI, et al.

Art Unit: 1636

Appl. No. 09:359,300

Examiner: Leffers. Jr., G.

Filed: July 21, 1999

Atty. Docket: 00801.0137.US07

METHOD OF DETERMINING THE PRESENCE OF A TRAIT IN A PLANT BY TRANSFECTING A NUCLEIC ACID SEQUENCE OF A NON-PLANT DONOR INTO A HOST PLANT IN

A POSITIVE ORIENTATION

Notice of Appeal From the Examiner to the Board of Patent Appeals and Interferences - Large Entity

BOX AF

For:

Commissioner for Patents Washington, D.C. 20231

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner dated August 30, 2002 that resulted in Applicant having claims that have been twice or finally rejected.

The fee for filing a Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (37 C.F.R. § 1.17(b)), along with any necessary extension fees (37 C.F.R. § 1.17(a)), is included in our Check No. <u>SSSC</u>. In the event that extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Respectfully submitted,

Date: February 28, 2002

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